

Association; Lowes Companies, Inc.; Maine Merchants Association; Maine Veterinary Medical Association; Malcolm Riley and Associates Los Angeles, CA; Marketing Developments, Inc. MI; Marshall Music Co., Lansing, MI; Mary Lou Fiala, CEO, Loft Unlimited, Ponte Vedra Beach Florida; Maryland Retailers Association; Massachusetts Veterinary Medical Association; Meijer, Inc.; Michigan Association of College Stores; Michigan Retailers Association; Michigan Veterinary Medical Association; Mid States Association of College Stores (IA, NE, KS, MO); Middle Atlantic College Stores; Minnesota Retail Association; Minnesota Veterinary Medical Association; Missouri Retailers Association; Mountains and Plains Independent Booksellers Association; NAIOB, Commercial Real Estate Development Association; NMM, National Association of Music Merchants; National Association of Chain Drug Stores; National Association of College Stores.

National Association of Counties; National Association of Real Estate Investment Trusts; National Association of Realtors; National Bicycle Dealers Association; National Conference of State Legislatures; National Education Association; National Governors' Association; National Grocers Association; National Home Furnishings Association; National League of Cities; National Retail Federation; National School Supply and Equipment Association; Nebraska Retail Federation; Nebraska Veterinary Medical Association; The Neiman Marcus Group, Inc.; Nevada Veterinary Medical Association; New Atlantic Independent Booksellers Association; New England Independent Booksellers Association; New Jersey Retail Merchants Association; New Jersey Veterinary Medical Association; New Mexico Retail Association; Newspaper Association of America; North American Retail Dealers Association; North Carolina Retail Merchants Association; North Carolina Veterinary Medical Association; North Dakota Retail Association; Northern California Independent Booksellers Association; Ohio Association of College Stores; Ohio Council of Retail Merchants; Oklahoma Veterinary Medical Association; Outdoor Industry Association; Pacific Northwest Booksellers Association; Pennsylvania Retailers' Association; Performance Marketing Association; Pet Industry Joint Advisory Council; Petco Animal Supplies, Inc.; PetSmart, Inc.; Planning Developments, Inc., MI; The Pratt Company, Mill Valley, CA; Professional Beauty Association; Properties, Inc., Chicago, IL; The Rappaport Companies, McLean, VA; Real Estate Roundtable; Realtors Land Institute; REI (Recreational Equipment, Inc.); Reininga Corporation, Healdsburg, CA; Retail Association of Mississippi.

Retail Association of Nevada; Retail Council of New York State; Retail Industry Leaders Association; Retail Merchants of Hawaii; Retailers Association of Massachusetts; Rhode Island Retail Federation; Rocky Mountain Skyline Bookstore Association (CO, MT, NM, WY); Safeway, Inc.; Sears Holdings Corporation; Seattle Metropolitan Chamber of Commerce; The Seayco Group, Bentonville, AK; The Sembler Company, St. Petersburg, FL; Service Employees International Union; ShareASale; Simon Property Group, Indianapolis, IN; Soccer Dealer Association; Society of Industrial and Office Realtors; South Carolina Association of Veterinarians; South Carolina Retail Merchants Association; South Dakota Retailers Association; Southern Independent Booksellers Alliance; Southwest College Bookstore Association (AR, LA, TX, OK, NM, MS); Steiner + Associates LLC, Columbus, Ohio; Stirling Properties, Covington, LA; Tanger Factory Outlet Centers, Inc., Greensboro, NC; Target

Corporation; Taubman Realty Group, Bloomfield Hills, MI; Tennessee Retail Association; Tennessee Veterinary Medical Association; Texas Retailers Association; The Timberland Company; Tractor Supply Company; Tri-State Bookstore Association; The UAW; U.S. Conference of Mayors; Utah Food Industry Association; Utah Retail Merchants Association; Utah Veterinary Medical Association; Vermont Retail Association; Vestar Development Co.—Phoenix AZ; Virginia Retail Merchants Association; Virginia Veterinary Medical Association; Wal-Mart Stores, Bentonville, AR; Washington Retail Association; Washington State Veterinary Medical Association; WDP Partners, LLC, Phoenix, AZ; The Weitzman Group, Dallas, Texas; Wendy's Company; West Virginia Retailers Association; West Virginia Veterinary Medical Association; Western Development Corporation, Washington, DC; Westfield, LLC, Los Angeles, CA; Wisconsin Association of College Stores; Wisconsin Veterinary Medical Association; Wolfe Properties, LLC, St. Louis, MO; World Floor Covering Association; Wyoming Retail Association; Wyoming Veterinary Medical Association; Zumiez, Inc., Everett, WA.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that all remaining time postcloture be yielded back and the Senate adopt the motion to proceed to S. 2237.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### SMALL BUSINESS JOBS AND TAX RELIEF ACT

The PRESIDING OFFICER. The clerk will report the measure.

The assistant legislative clerk read as follows:

A bill (S. 2237) to provide a temporary income tax credit for increased payroll and extended bonus depreciation for an additional year, and for other purposes.

AMENDMENT NO. 2521

(Purpose: In the nature of a substitute)

Mr. REID. Mr. President, on behalf of Senator LANDRIEU, I have a substitute amendment at the desk I wish to have reported.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Ms. LANDRIEU, proposes an amendment numbered 2521.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. On that, Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2522 TO AMENDMENT NO. 2521

Mr. REID. Mr. President, I now have a first-degree perfecting amendment which is also at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2522 to amendment No. 2521.

The amendment is as follows:

At the end, add the following new section: SEC. \_\_\_\_.

This Act shall become effective 7 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2523 TO AMENDMENT NO. 2522

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2523 to amendment No. 2522.

The amendment is as follows:

In the amendment, strike "7 days" and insert "6 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion on the substitute amendment which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 2521 to S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Mary L. Landrieu, Kirsten E. Gillibrand, Barbara A. Mikulski, Carl Levin, Frank R. Lautenberg, Barbara Boxer, Mark Udall, Mark Begich, Sheldon Whitehouse, Richard Blumenthal, Al Franken, Patrick J. Leahy, Tom Udall, Max Baucus, Benjamin L. Cardin, Richard J. Durbin.

AMENDMENT NO. 2524

(Purpose: To provide a perfecting amendment.)

Mr. REID. Mr. President, I have an amendment at the desk to the language proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2524 to the language proposed to be stricken by amendment No. 2521.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2525 TO AMENDMENT NO. 2524

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2525 to amendment No. 2524.

The amendment is as follows:

At the end, add the following new section:

**SEC. \_\_\_\_.**

This title shall become effective 5 days after enactment.

AMENDMENT NO. 2526

Mr. REID. I have a motion to commit the bill with instructions. The clerk has that.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill (S. 2237) to the Committee on Finance, with instructions to report back forthwith, with amendment numbered 2526.

The amendment is as follows:

**SEC. \_\_\_\_.**

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2527

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2527 to the instructions of the motion to commit S. 2237 to the Committee on Finance.

The amendment is as follows:

In the amendment, strike "3 days" and insert "2 days".

Mr. REID. Mr. President, I ask for the yeas and nays on that.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2528 TO AMENDMENT NO. 2527

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2528 to amendment No. 2527.

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

CLOTURE MOTION

Mr. REID. Finally, Mr. President, I have a cloture motion on the bill which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Max Baucus, Mary L. Landrieu, Kirsten E. Gillibrand, Barbara A. Mikulski, Carl Levin, Frank R. Lautenberg, Barbara Boxer, Mark Udall, Mark Begich, Sheldon Whitehouse, Richard Blumenthal, Al Franken, Patrick J. Leahy, Tom Udall, Benjamin L. Cardin, Richard J. Durbin

Mr. REID. I ask unanimous consent that the mandatory quorum requirement under rule XXII be waived for the cloture motions just filed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROVIDING AN INCENTIVE FOR BUSINESSES TO BRING JOBS BACK TO AMERICA

Mr. REID. Mr. President, I move to proceed to Calendar No. 442, S. 3364.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 3364, a bill to provide an incentive for businesses to bring jobs back to America.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, right now the Senate is considering the small business jobs bill, a very important proposal that was part of President Obama's package to increase employment in this country. It will create a million jobs. This legislation will give tax credits to businesses that grow and hire. Yet Republicans are looking for any excuse to vote down the proposal for two reasons: No. 1, it has the support of President Obama and the Democrats in Congress. Second, it would strengthen the economy, which would help President Obama.

We know Republicans will not do anything that helps President Obama, even if it is good for the economy, because their No. 1 goal is to defeat the President. My friend MITCH MCCONNELL has said that. So Republicans are hiding behind their usual procedural trick, filibustering with unrelated amendments. If there is any doubt about Republicans' motivation to kill this legislation, take a look with me at the amendment proposed today by Senator HATCH of Utah.

The first thing Senator HATCH's amendment would do is eliminate all the tax cuts, every tax cut we have in this proposal, every one of them, the

one that is now before the Senate, to create a million jobs. The Hatch amendment would literally eliminate every provision in the bill designed to create jobs.

Senator HATCH's amendment eliminates the 10-percent credit for employers to hire additional workers or increase their payrolls, a provision that would create—that part alone—a half million jobs. It strikes another deduction for businesses that invest in machinery and equipment which would create another half million jobs.

But the Republican amendment does not stop there. It goes on to increase taxes for 25 million American families. The Republican amendment, I repeat, increases taxes for 25 million American families. Senator HATCH's amendment would extend tax breaks for the top 2 percent of Americans, but it fails to extend a number of tax cuts that help middle-class families get by in a very tough economy. For example, Senator HATCH's amendment, a Republican amendment, would increase taxes by \$1,100 for 11 million families trying to pay for college—11 million families, in effect an increase of their taxes by \$1,100.

The Republican amendment would make it harder for 12 million large families to put food on the table. It would increase taxes by \$800 for families that have three children or more. Senator HATCH's amendment, the Republican amendment, fails to extend the full childcare tax credit for 6 million families, increasing their taxes by \$500 each.

So no one is fooled by the Republican amendment. We see it for what it is, more Republican obstruction that comes with the added bonus of sticking it to the middle class. If that were not enough political theater for 1 day, my Republican colleagues also claim they are anxious to vote on President Obama's plan to cut taxes for 98 percent of American families. Once again, no one should be fooled. Republicans know very well the Senate will vote on the President's proposal to give middle-class families the certainty they will not be hit with a tax increase. We will vote on it this work period. I have already said so. They say they want a vote sooner, so let's lock in an agreement sooner. The President's plan to give 98 percent of Americans certainty their taxes will not go up and Republican plans to raise taxes on 25 million American families—Democrats are ready to have those votes right away and we will do it with a simple majority. Then we can get back to the task at hand, cutting taxes for millions of small businesses that want to expand and put Americans back to work.

I have a consent agreement that I will go through with you.

UNANIMOUS CONSENT REQUEST—S. 2237

Mr. President, I ask unanimous consent that cloture be vitiated with respect to the substitute amendment on S. 2237, that the motion to commit be withdrawn and amendment Nos. 2525